

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**DROPLETS, INC.**

**Plaintiff,**

**v.**

**OVERSTOCK.COM, INC.,  
SEARS ROEBUCK & CO.,  
SEARS BRANDS LLC,  
SEARS HOLDINGS CORPORATION,**

**Defendants.**

**Civil Action No. 2:11-cv-00401-  
JRG-RSP**

**JURY TRIAL**


**ORDER OF DISMISSAL OF SEARS WITH PREJUDICE**

On this day, Plaintiff Droplets, Inc. (“Droplets”) and Defendants Sears, Roebuck and Company, Sears Brands, L.L.C., and Sears Holdings Corporation (collectively, “Sears”) announced to the Court that they have settled Droplets’ claims for relief against Sears and Sears’ counterclaims for relief against Droplets asserted in this case. Droplets and Sears have therefore requested that the Court dismiss Droplets’ claims for relief against Sears and Sears’ claims for relief against Droplets, with prejudice and with all attorneys’ fees, costs and expenses taxed against the party incurring same. The Court, having considered this request, is of the opinion that their request for dismissal should be granted.

IT IS THEREFORE ORDERED that Droplets’ claims for relief against Sears and Sears’ counterclaims for relief against Droplets are dismissed with prejudice. IT IS FURTHER ORDERED that all attorneys’ fees, costs of court and expenses shall be borne by each party incurring the same.

So Ordered and Signed on this

**Mar 26, 2015**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE